

# **State of Alaska FY2006 Governor's Operating Budget**

## **Department of Fish and Game Boards of Fisheries and Game Component Budget Summary**

**Component: Boards of Fisheries and Game**

**Contribution to Department's Mission**

The Boards Support Section administers the public process for the state's regulatory system relating to fish and wildlife resources efficiently and effectively.

**Core Services**

All expenses and activities related to the Board of Fisheries, Board of Game, and Joint Boards of Fisheries and Game and staff support for the regulatory process are included in this component. The Board of Fisheries typically meets five times, plus teleconferences; the Board of Game typically meets three times, plus teleconferences; and the Joint Board can meet up to one time per year. The headquarters office provides direct staff support for the boards, and sets section policies and procedures. Staff coordinates meetings and activities of the boards, process petitions and regulatory changes outside board meetings and deal with the technical functions of correspondence, legal notices, calls for proposals, filing regulations, mailings, fiscal accountability, records retention and retrieval, paralegal research and general assurance of statutory and regulatory processes.

End Results	Strategies to Achieve Results
<p><b>A: Maximize opportunity for public participation in designing regulations for the use of fish and wildlife resources.</b></p> <p><u>Target #1:</u> Increase by 3% number of proposals submitted by public.</p> <p><u>Measure #1:</u> Percent change in number of public proposals.</p>	<p><b>A1: Involve the public in the regulatory process for fish and wildlife management.</b></p> <p><u>Target #1:</u> Issue call for proposals prior to January 1 of meeting cycle year.</p> <p><u>Measure #1:</u> Call for proposals is issued prior to January 1 of meeting cycle year.</p> <p><b>A2: Board members are knowledgeable in the field of action of their board.</b></p> <p><u>Target #1:</u> Provide up-to-date "New Member Orientation Manual" to all incoming board members and a new member orientation that is attended by every board member at the beginning of each meeting cycle.</p> <p><u>Measure #1:</u> New member orientation session attended by every board member at the beginning of each meeting cycle and New Member Orientation Manual is updated with recent statutory and other changes prior to distribution to incoming board members.</p>
End Results	Strategies to Achieve Results
<p><b>B: Boards perform their regulatory role effectively and within legal requirements.</b></p> <p><u>Target #1:</u> Reduce number of out of cycle actions by 5%.</p> <p><u>Measure #1:</u> Percent reduction in number of petitions and agenda change requests.</p>	<p><b>B1: Involve the public in the fish and game advisory committee process.</b></p> <p><u>Target #1:</u> Notify the public of election meetings at least two weeks prior to the advisory committee (AC) election meeting.</p> <p><u>Measure #1:</u> Public is notified of election meetings at least two weeks prior to the AC election meeting.</p>

**Major Activities to Advance Strategies**

- Issue "Call for Proposed Changes" to fishing/hunting regulations.
- Distribute proposals around the state for public comment.
- Attend and provide staff support at board and advisory committee meetings.
- Prepare and issue legal public notices for board and advisory committees.
- Distribute agendas to all interested parties for board/advisory committee meetings.
- Provide parliamentary services to boards.
- Coordinate joint meetings for the boards with other agencies and regulatory bodies over issues of mutual concern (NPFMC, FSB, etc.).
- Make meeting arrangements: set meeting dates and locations, secure meeting space and equipment leases.
- Make travel arrangements, block hotel rooms, process travel claims for board/advisory committee members.
- Prepare & organize meeting material for the board, including written comment from advisory committees and the public, agendas, roadmaps, reports, etc.
- Maintain legal records of decisions.
- Write findings, resolutions, and policy statements to support board decisions.
- Provide training and technical assistance to board members, both onsite and through New Member Orientation Manual.
- Coordinate input (biological, scientific, and sociological information) provided by ADF&G and other agencies to boards.
- Prepare and organize meeting material for advisory committees, including written comment from the public, agendas, reports, etc.
- Provide parliamentary services to advisory committees.
- Provide training and technical assistance to advisory committee (AC) members and officers, both onsite and through AC Manual.
- Coordinate input (biological, scientific, and sociological information) provided by ADF&G and other agencies to advisory committees .
- Coordinate joint meetings for the advisory committees with federal Regional Advisory Councils (RAC) and other state advisory committees.
- Maintain database of Board and AC members, interested organizations and individuals for the fish and wildlife regulatory process.
- Maintain website with current information.
- Distribute board/advisory committee meeting reports and summaries to interested parties around the state.
- Maintain historical record of board decisions (paper and website).
- Maintain record of advisory committee meetings and correspondence, including membership rosters, record of elections, etc.

**FY2006 Resources Allocated to Achieve Results**

**FY2006 Component Budget: \$1,089,700**

**Personnel:**

Full time	6
Part time	0
<b>Total</b>	<b>6</b>

**Performance Measure Detail**

**A: Result - Maximize opportunity for public participation in designing regulations for the use of fish and wildlife resources.**

**Target #1:** Increase by 3% number of proposals submitted by public.

**Measure #1:** Percent change in number of public proposals.

FINFISH					
Mtg Cycle	Region:	Region:	Total for cycle	Percent change	
2004/2005	Cook Inlet	Kodiak & Chignik	386	+16%	
2001/2002	287	99	399	+20%	
1998/1999	332	67	279	-15%	
1995/1996	208	71	331	0%	
TOTAL	1098	297			
<b>GRAND TOTAL:</b>			<b>1395</b>		
Mtg Cycle	Region:	Region:	Region:	Total for cycle	Percent change
2003/2004	Bristol Bay	A-Y-K	AK Per/Aleutian Is	218	-24%
2000/2001	72	74	72	263	-8%
1997/1998	119	95	49	272	-5%
1994/1995	140	80	52	268	0%
TOTAL	126	71	91		
<b>GRAND TOTAL:</b>	457	320	264	<b>1041</b>	
Mtg Cycle	Region:	Region:	Total for cycle	Percent change	
2002/2003	Southeast	Prince William Sound	315	-17%	
1999/2000	213	102	285	-25%	
1996/1997	173	112	346	-8%	
1993/1994	266	80	376	0%	
TOTAL	297	81			
<b>GRAND TOTAL:</b>	949	375	<b>1324</b>		
KING AND TANNER CRAB					
Mtg Cycle	Region:	Total for cycle	Percent change		
2004/2005	Statewide	61	-50%		
2001/2002	94	94	-24%		
1998/1999	75	75	-39%		
1995/1996	123	123	0%		
TOTAL	353				

**Analysis of results and challenges:** Note: Further data will be added for wildlife and for other fisheries (e.g., Dungeness crab, other shellfish, etc.). Further analysis will be done to track trends in proposal numbers.

**A1: Strategy - Involve the public in the regulatory process for fish and wildlife management.**

**Target #1:** Issue call for proposals prior to January 1 of meeting cycle year.

**Measure #1:** Call for proposals is issued prior to January 1 of meeting cycle year.

## Dates Call for Proposals Issued

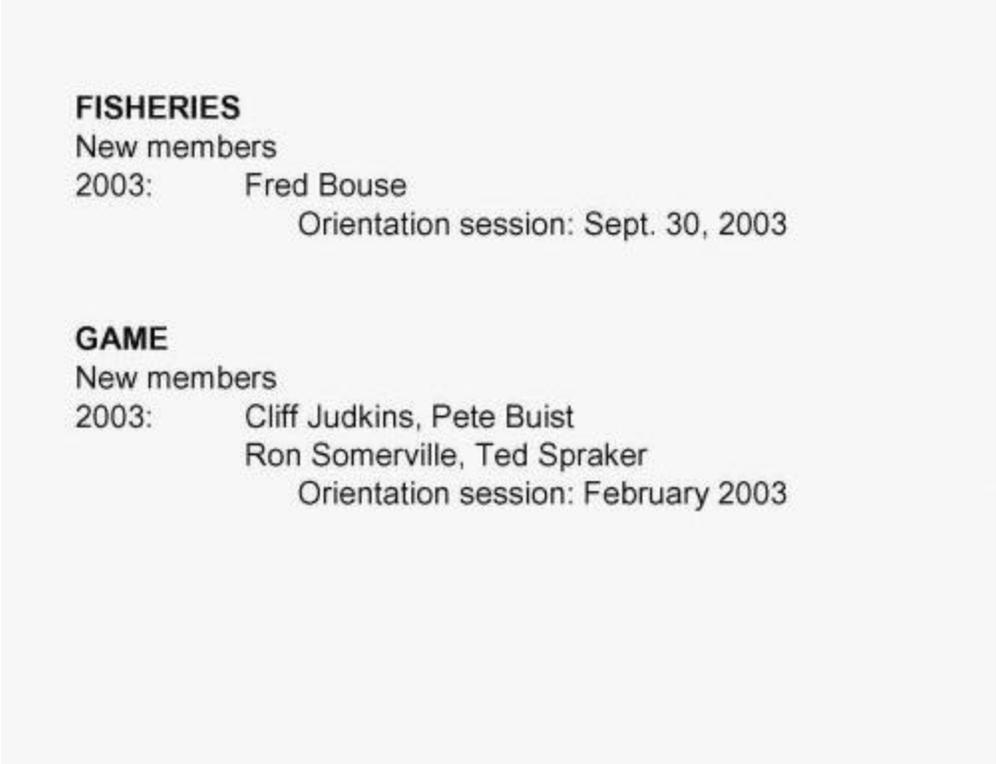
FISHERIES		
<b>Meeting Cycle</b>	<b><u>Date Issued</u></b>	<b><u>Proposal Deadline</u></b>
2004/2005	November 2003	April 9, 2004
2003/2004	December 2002	April 10, 2003
2002/2003	November 2001	April 10, 2002
2001/2002	December 2000	April 10, 2001
GAME		
<b>Meeting Cycle</b>	<b><u>Date Issued</u></b>	<b><u>Proposal Deadline</u></b>
Fall 2004 (November)	May 2004	August 6, 2004
Spring 2004 (March)	May 2003	December 5, 2003

**Analysis of results and challenges:** The Target requires rewording to reflect the Board of Game's call for proposal process. Individual Calls for Proposals are issued for each meeting for BOG, rather than once per year. The target is to issue those Calls for Proposals a minimum of three months prior to the deadline, in order to fully inform the public and state advisory committees. The target of issuing the call for proposals for the Board of Fisheries remains January 1 of each year.

## A2: Strategy - Board members are knowledgeable in the field of action of their board.

- Target #1:** Provide up-to-date "New Member Orientation Manual" to all incoming board members and a new member orientation that is attended by every board member at the beginning of each meeting cycle.
- Measure #1:** New member orientation session attended by every board member at the beginning of each meeting cycle and New Member Orientation Manual is updated with recent statutory and other changes prior to distribution to incoming board members.

**New member orientation sessions**



**Analysis of results and challenges:** New board members were appointed to each board as illustrated above; orientation sessions were held prior to the first regulatory meeting and attended by all board members on the pertinent board.

New member orientation manuals were updated and provided to all board members, newly appointed and existing, at each orientation session. In addition, manuals are provided to department staff upon request, to aid training of department staff in the board process.

**B: Result - Boards perform their regulatory role effectively and within legal requirements.**

**Target #1:** Reduce number of out of cycle actions by 5%.

**Measure #1:** Percent reduction in number of petitions and agenda change requests.

**Number of Agenda Change Requests Received/Accepted per Year by the Board of Fisheries**

Year	Received	Accepted	YTD
1998	37	14	0
1999	21	9	0
2000	17	4	0
2001	17	2	0
2002	12	4	0
2003	24	5	0

**Analysis of results and challenges:** The public, state advisory committees, and the department plan and budget for each board's preplanned regulatory cycle (two years for Board of Game and three years for Board of Fisheries). The public has come to rely upon the consistency of the regulatory review time periods, and the two-year and three-year cycles provide an opportunity to experience a stable regulatory environment. To take up issues out of cycle may cause additional expense for the department and may be an additional burden for the public and state's advisory committee system.

The Board of Fisheries has put into regulation its criteria for accepting agenda change requests in order to

reduce the number of "off-cycle" issues it takes up each year; the Board of Game has reviewed its criteria. While agenda change requests are important to both boards in order to correct unforeseen effects of a regulation, etc., the department encourages each board to minimize the number of issues taken up out of the normal meeting cycle.

During 2004, the Board of Game accepted one agenda change request. For comparison, the Board of Game accepted two agenda change requests in 2003, one agenda change request in 2002, six in 2001, one in 2000, three in 1999, and four in 1998.

During 2004, the Board of Fisheries accepted three out of 24 agenda change requests. This compares to previous years as follows: 2003 – 5 out of 24, 2002 - 4 out of 12, 2001 - 2 out of 17, 2000 - 4 out of 17, 1999 - 9 out of 21, 1998 - 14 out of 37.

### **B1: Strategy - Involve the public in the fish and game advisory committee process.**

**Target #1:** Notify the public of election meetings at least two weeks prior to the advisory committee (AC) election meeting.

**Measure #1:** Public is notified of election meetings at least two weeks prior to the AC election meeting.

**Analysis of results and challenges:** The department has been actively working to refine performance measure detail. Work on gathering baseline data and reporting results is currently in progress and will be available in late January 2005.

### **Key Component Challenges**

Federal subsistence management continues to be a key issue for both the Boards of Fisheries and Game. As the federal agencies implement subsistence management, the section has experienced an increased workload in designing a system within which state boards and the federal board may interact, responding to information requests from federal agencies, from state advisory committees, and from the public. We anticipate a continued increase in regulatory coordination issues for the boards during the 2005/2006 meeting cycle.

In the past, the Board of Fisheries has traditionally held meetings at the fishing grounds whenever possible, to give opportunity for input to those whose livelihoods are dependent upon the board's decisions. The Board of Game also met in both rural and urban areas of the state to give opportunity for input from all citizens of the state. Both boards rely heavily on local public participation, and without it the decisions made by the boards may not be as sound and beneficial to all Alaskans. Beginning in FY 2004, both boards moved all regulatory meetings into three main regional centers in the state (Anchorage, Fairbanks, or Juneau). This was in response to budget reductions to the program for that fiscal year. Both boards have experienced a decrease in participation by the advisory committees and the public as a possible result of the inability to meet in all areas of the state. This decreases the reliability that the state's regulatory system is meeting the needs of Alaska residents. In addition, each board has decreased the total number of days it meets to address regulatory proposals. This has resulted in allocation and conservation decisions about the resource to become accelerated and abbreviated, without the benefit of a full range of information necessary for an adequate regulatory process.

The Board of Fisheries is developing options for state waters groundfish fisheries in order to respond to the North Pacific Fishery Management Council's (council) intention of "rationalizing" the groundfish fisheries in the Gulf of Alaska. Through the board and council's Joint Protocol Committee, the council has requested the board provide input regarding state waters fisheries, including observer coverage. The Board will also develop options for the BS/AI crab fisheries, in response to recent federal action to rationalize those fisheries. The board has empanelled a public group to begin evaluating regulatory and statutory changes necessary to restructure the state's commercial salmon industry. The board received a separate allocation from the legislature for this effort, which will conclude with a final report in June 2006.

The Board of Game is implementing the intensive management law, taking actions to bring board findings and policies in line with changes in state statutes. The statute also changed the requirement that the commissioner make a finding in addition to a board finding prior to issuance of a permit. The new law allows issuance of a permit with only a board finding

needed. The board continues to make associated changes to its regulations to bring them into compliance with the new law.

The Board of Game has undertaken an effort to review implementation procedures for the state's subsistence law. The board appointed a public panel to provide recommendation to the full board. A report is scheduled to be completed by spring 2005.

## **Significant Changes in Results to be Delivered in FY2006**

In order to meet statutory mandates, the Boards of Fisheries and Game have requested a general fund increment of 100.0. The funding will enable the boards to meet in all areas of the state, which responds to legislative intent in statute. The funding will also ensure that the boards and advisory committees can meet legal mandates of the administrative procedures act in the proper publication and notification of proposed regulatory changes statewide. Due to the abbreviated meeting schedules, decisions by the boards are accelerated, without the full benefit of information and analysis needed for the regulatory process. Reduction in general funds has significantly reduced the ability of the Board of Fisheries to meet its statutory obligations which include complex allocation decisions, significantly increased deliberations regulating state waters fisheries for multiple species where federal fisheries programs have a potential negative impact, increasing regulatory conflicts over subsistence regulations involving federal waters and lands, and expanded regulatory responsibilities involving multiple fish species. The reduction in general funds has significantly reduced the ability of the Board of Game to meet its statutory obligations which include normal allocation decisions, increasing regulatory conflicts over subsistence regulations involving federal lands, greatly expanded regulatory responsibilities involving intensive management programs, and significantly increased deliberations implementing precise predator control programs.

Recognizing the goal of overall decreased general fund budgets and increased efficiencies in all agencies, the department is not requesting a full restoration of previous general fund reductions. The Boards of Fisheries and Game have both decreased the number of meeting days. This increase in general funds, of approximately 6% of the overall budget, will ensure that the boards are meeting the minimum legal requirements of their mission, while still finding the efficiencies and reductions that meet the goal of reduced budgets. It is important for the boards to meet the individual and joint legal requirements that have been delegated from the state legislature.

## **Major Component Accomplishments in 2004**

The Board of Fisheries continued to implement the statewide Sustainable Salmon Fisheries Policy through evaluation of proposals in the Bristol Bay, Arctic-Yukon-Kuskokwim, and Alaska Peninsula/Aleutian Islands areas. This significant policy aims to evaluate and rebuild the state's salmon stocks, and continues to shape overall salmon fisheries management.

The Board of Fisheries reviewed the salmon fisheries cooperative in the Chignik Area. This regulation creates a purse seine sockeye salmon fisheries cooperative among CFEC permit holders. The co-op was allocated a percentage of the annual Chignik area sockeye salmon harvestable surplus. The board will consider proposals for changes to this fishery in order to monitor the effects of the salmon co-op.

The Board of Game confirmed its emergency action in response to a decision in *Manning v. State*. In his ruling, judge Tan found that a portion of the board's scoring system for Tier II hunting permits was unconstitutional. The board eliminated the portion of the permit application that provided a community cap, because that cap affected individual scores. The court said that this cap was too close to providing a local preference, which is unconstitutional. The board will review this regulation again in spring 2005.

A new board member was named to the Board of Fisheries by Governor Murkowski. An orientation session was held for the board. These important sessions enable the boards to receive essential information from the commissioner, the Departments of Law and Public Safety, and other agencies on statutory authorities and policies, such as the administrative procedures act, the subsistence law, constitutional provisions, etc.

Both boards met within the schedules provided.

Board information was posted on the section's website within three working days for access by advisory committee members, other agencies, and the general public.

### Statutory and Regulatory Authority

AS 16.05  
AS 16.20  
AS 44.62  
AAC Title 5  
Public Law 96-487

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### Boards of Fisheries and Game Component Financial Summary

*All dollars shown in thousands*

	FY2004 Actuals	FY2005 Management Plan	FY2006 Governor
<b>Non-Formula Program:</b>			
<b>Component Expenditures:</b>			
71000 Personal Services	360.4	423.5	449.1
72000 Travel	246.7	327.8	247.0
73000 Services	236.1	355.3	352.1
74000 Commodities	13.9	44.1	41.5
75000 Capital Outlay	0.0	0.0	0.0
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
<b>Expenditure Totals</b>	<b>857.1</b>	<b>1,150.7</b>	<b>1,089.7</b>
<b>Funding Sources:</b>			
1002 Federal Receipts	28.1	162.5	162.5
1004 General Fund Receipts	502.8	647.3	586.3
1007 Inter-Agency Receipts	326.2	319.9	319.9
1036 Commercial Fishing Loan Fund	0.0	21.0	21.0
<b>Funding Totals</b>	<b>857.1</b>	<b>1,150.7</b>	<b>1,089.7</b>

### Estimated Revenue Collections

Description	Master Revenue Account	FY2004 Actuals	FY2005 Management Plan	FY2006 Governor
<b>Unrestricted Revenues</b>				
Commercial Fishing Loan Fund	51100	0.0	21.0	21.0
<b>Unrestricted Total</b>		<b>0.0</b>	<b>21.0</b>	<b>21.0</b>
<b>Restricted Revenues</b>				
Federal Receipts	51010	28.1	162.5	162.5
Interagency Receipts	51015	326.2	319.9	319.9
<b>Restricted Total</b>		<b>354.3</b>	<b>482.4</b>	<b>482.4</b>
<b>Total Estimated Revenues</b>		<b>354.3</b>	<b>503.4</b>	<b>503.4</b>

**Summary of Component Budget Changes  
From FY2005 Management Plan to FY2006 Governor**

*All dollars shown in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
<b>FY2005 Management Plan</b>	<b>647.3</b>	<b>162.5</b>	<b>340.9</b>	<b>1,150.7</b>
<b>Adjustments which will continue current level of service:</b>				
-FY 05 Bargaining Unit Contract Terms: GGU	2.8	0.0	0.0	2.8
-FY06 Cost Increases for Bargaining Units and Non-Covered Employees	8.8	0.0	0.0	8.8
-Reverse ADN 11-4-0954 Chapter 159, SLA 2004, sec. 49, pg. 107 carryforward	-172.6	0.0	0.0	-172.6
<b>Proposed budget increases:</b>				
-General fund increase to meet statutory mandates	100.0	0.0	0.0	100.0
<b>FY2006 Governor</b>	<b>586.3</b>	<b>162.5</b>	<b>340.9</b>	<b>1,089.7</b>

**Boards of Fisheries and Game  
Personal Services Information**

Authorized Positions		Personal Services Costs		
	<u>FY2005</u> <u>Management</u> <u>Plan</u>	<u>FY2006</u> <u>Governor</u>		
Full-time	6	6	Annual Salaries	285,041
Part-time	0	0	COLA	3,221
Nonpermanent	0	0	Premium Pay	14,835
			Annual Benefits	161,598
			<i>Less 0.15% Vacancy Factor</i>	(695)
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>6</b>	<b>6</b>	<b>Total Personal Services</b>	<b>464,000</b>

**Position Classification Summary**

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant	0	0	1	0	1
Administrative Clerk III	0	0	1	0	1
Exec Dir I, Brds Fish & Game	0	0	1	0	1
Exec Dir II, Brds Fish & Game	0	0	1	0	1
Publications Spec II	0	0	1	0	1
Publications Tech II	0	0	1	0	1
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>6</b>